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Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

Please rewrite claims 1-3, 5, 8 and 12 as follows:

1. (Currently Amended) A semiconductor element, comprising:
- | a substrate;
 - | an underlayer, on the substrate, ~~made of~~comprising a first semiconductor nitride
 - | including at least Al ~~element~~, the crystallinity of the underlayer being set to have a
 - | ~~90 seconds or below in full width at half maximum of X-ray rocking curve~~ value of 90
 - | seconds or below;
 - | a buffer layer, on the underlayer, ~~made of~~comprising a second semiconductor nitride;
 - | and
 - | a semiconductor layer group, on the buffer layer, ~~made of~~comprising a third semi-
 - | conductor nitride including at least Ga ~~element~~, wherein
 - | the Al content of the third semiconductor nitride being is set smaller than that of the
 - | first semiconductor nitride.
- object
2. (Currently Amended) A semiconductor element as defined in claim 1, wherein the Ga
- | content of the second semiconductor nitride is set to be not more than that of the third
 - | semiconductor nitride.

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3. (Currently Amended) A semiconductor element as defined in claim 1, wherein the Al content of the first semiconductor nitride is set at least 50 atomic percentages or over for of all of the III elements present in the first semiconductor nitride.

4. (Original) A semiconductor element as defined in claim 3, wherein the first semiconductor nitride is AlN.

5. (Currently Amended) A semiconductor element as defined in claim 1, wherein the underlayer is formed at a temperature of at least 1100°C or over by a MOCVD method.

6. (Original) A semiconductor element as defined in claim 5, wherein the underlayer is formed within 1100-1250°C.

7. (Original) A semiconductor element as defined in claim 1, wherein the thickness of the underlayer is set within 0.5-1000 μm .

8. (Currently Amended) A semiconductor element as defined in claim 1, wherein the substrate is made of sapphire single crystal, and the underlayer is formed on the main surface of the substrate via ~~the~~ surface nitride layer formed at the main surface.

9. (Original) A semiconductor element as defined in claim 1, wherein the thickness of the buffer layer is set within 0.002-0.5 μm .

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10. (Original) A semiconductor element as defined in claim 1, wherein the Al content of the first semiconductor nitride is decreased continuously or stepwisely from the substrate toward the buffer layer.

11. (Original) A semiconductor element as defined in claim 1, wherein the semiconductor layer group includes a GaN semiconductor layer.

12. (Currently Amended) A semiconductor element as defined in claim 1, wherein the full width at half maximum in X-ray rocking curve value of the semiconductor layer group is set to 150 seconds or below.

13. (Previously Amended) A photonic device comprising a semiconductor element as defined in claim 1.